

TRINIDAD.

Medical.

No. 6.—1887.

8th March.

AN ORDINANCE for amending and consolidating the Law with regard to the constitution of the Medical Board, the Practice of Medicine and Surgery, and the selling of Drugs.

[L.S.]

WILLIAM ROBINSON,

GOVERNOR.

13th May, 1887.

WHEREAS an Ordinance was passed in Council on the 1st day of June, 1846, intituled "An Ordinance to amend the constitution of the Medical Board of this Colony, and to regulate the practice of Physic and Surgery and the compounding and selling of Drugs and Medicines," which Ordinance came into force on the 13th of June, 1846.

And whereas it is expedient that the said Ordinance of the 1st day of June should be repealed and that the Law regulating the practice of Medicine and Surgery,

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Dentistry, and Midwifery, and the compounding and selling of Drugs and Medicines should be amended : Be it enacted by the Governor of Trinidad, with the advice and consent of the Legislative Council thereof as follows :—

Short title.

1. This Ordinance may for all purposes be cited as “The Medical Ordinance, 1887.”

Commence-
ment of Ordi-
nance.

2. This Ordinance shall commence and take effect from the 1st day of May, 1887.

Interpretation
Clause.

3. In this Ordinance,

“The Board” shall mean “The Medical Board of the Island of Trinidad,” established under this Ordinance.

“Officers of the Board” shall mean the President, the Vice-President, the Secretary and Treasurer of the Board and the members of the Medical Council elected under this Ordinance.

“The Council” shall mean the Medical Council elected by the Medical Board under this Ordinance.

“The Medical Act, 1886,” shall mean a certain Act passed in the Session of Parliament holden in the 49th and 50th year of Her present Majesty, Chapter 48, and intituled “An Act to amend the Medical Act.”

Abolition of
former Medical
Board, and de-
termination of
its powers.

4. From and after the passing of this Ordinance the Medical Board of the Island of Trinidad established by the said Ordinance of the 1st day of June, 1846, and all the powers and authorities conferred and vested therein by the said Ordinance shall cease and determine.

Transfer of
Moneys, effects
and papers.

5. From and after the passing of this Ordinance all moneys, effects, books, papers or other property whatsoever belonging to “The Medical Board of the Island of

Trinidad" established by the said Ordinance of the 1st day of June, 1846, shall be transferred to and vested in and become the property of "The Board" established by this Ordinance and shall be delivered over to the Secretary and Treasurer of the Board by any person in whose possession the same may be.

PART II.

MEDICAL BOARD, ITS CONSTITUTION, &c.

6. From and after the passing of this Ordinance there shall be established a Medical Board which shall be styled Establishing of new Medical Board. "The Medical Board of the Island of Trinidad;" and such Board by such name shall be a Body Corporate and shall have perpetual succession, and shall and may have and use a Common Seal and the said Seal may from time to time break, change, alter or make anew as to the Board may seem fit.

7. All persons who at the time of the passing of this Ordinance hold or who may hereafter obtain from the Member of the Board. Board a License to practice Medicine or Surgery in this Colony shall be members of and shall form and constitute the Board.

8. For the well ordering of the Board and its affairs there shall be elected in manner hereinafter mentioned Officers of the Board to be elected. from and among the members thereof, the following Officers of the Board, that is to say :

I. A President.

II. A Vice-President.

III. A Secretary and Treasurer, and

IV. Three other persons being members of the Board who together shall form and constitute a Council which shall be styled "The Medical Council" and to whom shall

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be delegated such of the powers and duties as are by this Ordinance vested in the Board as to such Board may seem fit.

Officers of
Board eligible
for re-election.

9. The "Officers of the Board" when elected shall hold office for the term of three years and at the expiration of such period they shall be eligible for re-election.

Election of
Member dying,
resigning, or
being incapable
to act.

10. In case of the death, resignation, incapacity or inability to act of any of the Officers of the Board, a general Meeting of the Board shall be convened by the President or Vice-President for the purpose of electing another Member in the place of the Member so dying, resigning or being incapable to act, and the Member so elected shall continue to hold office for the same time as the Member in whose place he may be so elected would have done if no such vacancy had occurred.

Officers of
Board not to
absent them-
selves without
leave.

11. It shall not be lawful for any Officer of the Board to absent himself from the Colony for any period exceeding Three Months without the leave of the Council first had and obtained.

President or
Vice-President
to nominate a
Member to act
for Absentee.

12. It shall be lawful for the President or in his absence the Vice-President to nominate and appoint any Member of the Board to be and to act as a Member of the Medical Council during the absence of the person to whom such leave of absence shall have been given.

Time for hold-
ing first Meet-
ing of the
Board.

13. The Board shall hold its first meeting within thirty days from the commencement of this Ordinance in such place and at such time as the Governor shall appoint by notice in the *Royal Gazette* at least 21 days before the day of meeting.

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At such meeting the members present shall proceed to elect the Officers of the Board.

Mode of procedure at first Meeting.

14. A general meeting of the Members of the Board for the election of the officers of the Board shall be held triennially on the second Tuesday in the month of January at such place in the Town of Port-of-Spain as shall be appointed by the President or in his absence by the Vice-President.

Time of holding General Meeting for election of officers of Board.

15. The voting at such first general meeting shall be conducted

Mode of conducting voting.

(1.) By the member present thereat or by any absent member delivering or causing to be delivered to the person appointed by the majority of the meeting for that purpose,

and at all subsequent general meetings

(2.) By the members present thereat or by any absent member delivering or causing to be delivered to the Secretary and Treasurer or in his absence then to such other member as may be appointed by the majority of the meeting for that purpose,

a voting paper with the name of the person for whom such member is desirous to vote written thereon which paper shall be signed by the member so voting.

16. Immediately after any election of the officers of the Board the President or Vice-President of the Board shall forthwith notify to the Colonial Secretary for the information of the Governor the names of the Officers of the Board so elected and shall cause the names to be published in

President or Vice-President to notify Colonial Secretary of election of officers.

the *Royal Gazette* and by letters addressed to each member of the Board. And so in like manner the names of all persons appointed whether temporarily or permanently to fill up any vacancy arising among the officers of the Board shall be published in the *Royal Gazette* and by letter addressed to each member of the Board as aforesaid.

Voting papers
to be filed and
kept.

All voting papers shall be filed and kept by the Secretary and Treasurer and shall be produced at the next general meeting for inspection.

Power to make
Bye-laws.

17. It shall be lawful for the Board at its first general meeting or at any subsequent general meeting to make and pass such Bye-laws as it may deem expedient:—

- I. For the good rule and government of the members and the affairs of the Board ;
- II. For regulating the times and places of the general and ordinary meetings of the Board, the mode of summoning the same and the manner of voting at such meetings ;
- III. For regulating the manner of applying and using the funds of the Board ;
- IV. For the doing all such further matters and things not inconsistent with the provisions of this Ordinance as may be deemed expedient and necessary for effectually carrying into effect the provisions of this Ordinance.

In absence of
Bye-laws,
President may
summon Meeting.

18. In the absence of any such Bye-laws it shall be lawful for the President or in his absence the Vice-President to summon a general meeting of the Board and meetings of the Medical Council at such times and places as may be deemed expedient.

At all such meetings the President or in his absence President or Vice-President to preside. the Vice-President or in his absence some other member to be chosen from among the members present shall preside.

All acts and resolutions of the Board at any meeting shall be decided by the votes of the majority of members present thereat. At all meetings of the Board the Presiding Member shall in addition to his vote as a member have a casting vote in case of an equality of votes. Acts and Resolutions of Board to be decided by majority.

19. Any three members of the Board of whom the President or Vice-President shall be one, shall form a quorum at any general Meeting. Quorum of Board.

And any three members of the Medical Council of whom the President or Vice-President shall be one shall form a quorum to constitute a meeting of the Medical Council. Quorum of Council.

20. The Secretary and Treasurer for the time being shall take correct minutes of the proceedings of all meetings of the Board and the Medical Council and shall enter the same in a Book to be called "The Minute Book of the Medical Board and Council." He shall also keep a Book of Registry for the purposes hereinafter mentioned and such Book shall be called "The Medical Register." Secretary and Treasurer to keep Minute Book. He shall have the custody of all books, papers and other documents belonging to the Board. To keep Medical Register.

21. The Medical Register shall—

- (a.) Contain in one alphabetical list all members of the Medical Board licensed to practice Medicine or Surgery in this Colony ; Medical Register, contents of.

- (b.) Contain in a separate alphabetical list all persons who are registered under this Ordinance as being at the time of the passing thereof the holders of a Diploma or License from some University, College or Body authorised to grant such Diplomas or Licenses and as having been then *bonâ fide* engaged in the practice of Dentistry and Dental Surgery in this Colony ;
- (c.) Contain in a separate alphabetical list all such foreign Dentists as are registered in pursuance of this Ordinance ;
- (d.) Contain in a separate alphabetical list all Licensed Druggists or Assistant Druggists ;
- (e.) Contain in a separate alphabetical list all Licensed Midwives.

List to be
made Alpha-
betically.

The medical register shall contain the said lists made out alphabetically according to the surnames, and shall state the full names and addresses of the persons therein registered, the description and date of the qualifications in respect of which they are registered, and subject to the provisions of this Ordinance shall contain such particulars and be in such form as the Board may from time to time direct.

Yearly list of
members of
Medical
Board, of
Druggists, and
of Midwives to
be transmitted
to Governor.

22. The Secretary shall on or before the second Tuesday in the month of January in each and every year make out from the Registry of the Board and transmit to the Colonial Secretary a true and correct list of all persons who are members of the Board, also of all Dentists, Licensed Druggists, Assistant Druggists, and Midwives in the Boroughs of Port-of-Spain and San Fernando and in the Rural Districts of the Colony to the best of his knowledge and belief and such list shall be signed by the

President, or in his absence by the Vice-President of the Council, and shall be published in the *Royal Gazette*.

23. The medical register shall be deemed to be in proper custody when in the custody of the Secretary and Treasurer, and shall be of such a public nature as to be admissible as evidence of all matters therein on its production from that custody. Custody of Medical Register.

24. The Secretary and Treasurer shall on or before the second Tuesday in the month of January in each and every year make out from the medical register a list of all persons who are members of the Medical Board, and also a list of all Dentists, Licensed Druggists, Assistant Druggists and Midwives in the Colony and such lists shall be signed by the President, or in his absence the Vice-President, and shall be published in the *Royal Gazette*. Secretary and Treasurer to make lists to be published in Royal Gazette.

25. A copy of the *Royal Gazette* containing such lists and purporting to be printed and published in pursuance of this Ordinance shall be evidence in all cases (until the contrary be made to appear) that the persons therein specified are registered according to the provisions of this Ordinance: The absence of the name of any person from such copy shall be evidence (until the contrary be made to appear) that such person is not registered according to the provisions of this Ordinance. Royal Gazette to be evidence in Courts of Justice.

PART III.

QUALIFICATION AND ADMISSION OF PRACTITIONERS AND GRANT OF LICENSES AND CERTIFICATES.

26. Any person holding any Diploma or License from any University, College or Incorporated Society in Great Britain or Ireland, having authority to grant the same conferring a Legal Title to practice Medicine, Surgery and Midwifery may upon production of his Diploma, License or Certificate of registration and upon his showing to the Person entitled to be admitted a member of Medical Board.

satisfaction of the Council that he is of good character and that he is by Law entitled to practice Medicine, Surgery and Midwifery be admitted as a Member of the Board and the President or in his absence the Vice-President shall thereupon convene a Meeting of the Council at which the Diploma, License or Certificate produced shall be examined.

Admission of
persons hold-
ing Colonial
Diplomas.

27. Where a person shows to the satisfaction of the Council that he holds some recognised Colonial Medical diploma or diplomas (as hereinafter defined) granted to him in any British possession to which the Medical Act, 1886, applies and that he is of good character and that he is by Law entitled to practice Medicine, Surgery and Midwifery in such British possession he shall on application to the Council and on payment of a fee of £5 be entitled without examination in this Colony to be registered as a Member of the Medical Board.

Admission of
persons hold-
ing Foreign
Diplomas, re-
cognized under
Medical Act,
1886.

28. From and after the passing of this Ordinance where a person shows to the satisfaction of the Council that he holds some recognised foreign diploma or diplomas (as hereinafter defined) granted in a foreign country to which the Medical Act, 1886, applies, and that he is of good character and that he is by Law entitled to practice Medicine, Surgery and Midwifery in such foreign country he shall on application to the Council and on payment of a fee of £5 be entitled to be registered as a Member of the Medical Board.

Admission of
persons hold-
ing Foreign
Diplomas not
recognized by
Medical Act,
1886.

29. Any person holding any diploma or diplomas to practice Medicine, Surgery or Midwifery granted in any British possession or Foreign Country to which the Medical Act, 1886, shall not apply may on production of a Certificate from the Royal College of Physicians of London

or from any other qualifying body recognised for the time being by the General Council constituted by the said Act that he has successfully passed an examination in whatever branches of Medical Science the said College or other such qualifying body as aforesaid may determine upon shall subject to the provisions of this Ordinance be entitled to be registered as a Member of the Medical Board and upon payment of the prescribed fees shall be entitled to obtain a License from the Board to practice Medicine, Surgery and Midwifery in this Colony.

30. The examination of holders of Colonial and Foreign diplomas in the 29th section of this Ordinance mentioned shall be conducted by sealed papers in such manner and subject to such regulations and conditions as may be prescribed by the said Royal College of Physicians or by such other qualifying body as aforesaid or by the Board.

Examination
holder of For-
eign Diplomas
under Section
29.

31. The Medical Diploma or Diplomas granted in a British possession or Foreign Country to which the Medical Act, 1886, applies, which is or are to be deemed such recognised Colonial or Foreign or Medical diploma or diplomas as is or are required for the purposes of the said Act shall be such Medical diploma or diplomas as may be recognized for the time being by the General Council constituted by the said Act as furnishing a sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of Medicine, Surgery and Midwifery.

Meaning of re-
cognized For-
eign or Colo-
nial Diplomas.

32. If the evidence produced to the Medical Council shall be deemed sufficient to show that such Diplomas, Licenses or Certificates as hereinbefore mentioned are sufficient to confer a legal right on the person or persons pro-

Registration
of holders of
Foreign and
Colonial Di-
plomas.

ducing the same and that such person or persons are thereby entitled and qualified to practice Medicine, Surgery and Midwifery in the United Kingdom of Great Britain and Ireland or in any British Colony or Foreign Country as herein before mentioned the Council shall direct and cause such qualification to practice to be registered in the Medical Register.

Medical Council may require Diplomas, &c., to be verified.

33. The Medical Council may, if it sees fit, require that such Diplomas, Licenses or Certificates as aforesaid should be verified by the Oath or solemn Declaration of the person or persons producing the same before any Justice of the Peace or before any persons authorized to take declarations under the provisions of "The Statutory Declarations Ordinance, 1879."

Persons registered entitled to License.

34. Every Physician or Surgeon duly registered in the Medical Register, shall upon payment of the prescribed fee be entitled to a License from the Board to practise Medicine, Surgery and Midwifery in this Colony.

License to be evidence in all Courts of Justice.

35. Such License shall be evidence in all Courts and before all Magistrates and Justices of the Peace and others that the person thereby licensed is duly registered according to the provisions of this Ordinance, is a Member of the Medical Board and is qualified to practice Medicine, Surgery and Midwifery in any part of this Colony.

Persons registered entitled to recover fees in Courts of Justice.

36. Every person registered under this Ordinance shall be entitled according to his qualifications to practice Medicine, Surgery and Midwifery in any part of this Colony and to demand and recover in any Court of Law with full costs of suit his reasonable charges for professional aid, advice and visit and the cost of any Medicine or other Medical or Surgical appliances rendered or supplied by him to his patients.

37. From and after the passing of this Ordinance, no person shall be entitled to recover any charges in any Court of Law for any Medical or Surgical advice attendance or for the performance of any operation or for any Medicine which he shall have either prescribed or supplied unless he shall prove upon the trial that he is registered under this Ordinance.

But not unless he proves he is registered.

PART IV.

DENTISTS.

38. From and after the passing of this Ordinance no person shall be entitled to take or use the name or title of Dentist (either alone or in combination with any other word or words) or of "Dental practitioner" or any name, title, addition or description implying that he is registered under this Ordinance or that he is a person specially qualified to practice dentistry unless he is registered under this Ordinance.

Unregistered persons not entitled to assume titles of Dentist, &c.

39. Any person who after the passing of this Ordinance not being registered under this Ordinance :—

Penalty on unregistered person using title of Dentist.

(1.) Takes or uses any such name title addition or description as aforesaid ;

(2.) Practices dentistry or dental surgery or performs any dental operation in respect of which he shall demand or receive any fee or gratuity shall be liable on Summary Conviction to a penalty not exceeding Twenty Pounds.

40. Any person who at the commencement of this Ordinance—

Dentists entitled to be registered.

(a.) Holds any Diploma or License from any University, College or Incorporated Society in Great Britain or Ireland or in any British Possession

having authority to grant the same conferring a Legal Title to practice Dental Surgery or Dentistry ;

- (b.) Holds a Diploma or License from some Foreign University, College or Body authorised to grant such Diploma or License to practice Dental Surgery or Dentistry and is *bonâ fide* engaged in the practice thereof in this Colony either separately or in conjunction with the practice of Medicine, Surgery or Pharmacy shall be entitled to be registered under this Ordinance.

Registration of
foreign Den-
tists with
recognized
Certificate.

41. Where a person who is not a British subject or who has practiced for more than five years either in the United Kingdom or elsewhere shows that he has obtained some recognized certificate (as hereinafter defined) granted in a Foreign Country, and that he is of good character and either continues to hold such certificate or has not been deprived thereof for any cause which disqualifies from registration under this Ordinance such person shall upon payment of a registration fee of £5 be entitled to be registered as a Dentist under this Ordinance.

Recognized
Certificate of
Foreign Den-
tist.

42. The Certificate granted in a Foreign Country which is to be deemed such a recognized certificate as is required for the purpose of this Ordinance shall be such certificate, diploma, membership, degree, license, letters testimonial, or other title, status or document as may be recognized by the Council as entitling the holder thereof to practice Dentistry or Dental Surgery in such country and as furnishing sufficient guarantees of the possession of the requisite knowledge and skill for the efficient practice of Dentistry or Dental Surgery shall upon payment of a registration fee of £5 be entitled to be registered as a Dentist under this Ordinance.

PART V.

DRUGGISTS, MIDWIVES, &C.

43. The Council shall have authority to grant Licenses as Druggists, Assistant Druggists or Midwives to persons who shall satisfy them of good moral character, and that by proofs of study and training and by examination that they are fit and proper persons to act as Druggists, Assistant Druggists or Midwives, and to make regulations respecting the course of study and training and the conduct of the examinations of persons applying for licenses as Druggists, Assistant Druggists or Midwives, and from time to time to alter and amend the said regulations: Provided that such regulations or amended regulations shall not come into operation until they have been approved by His Excellency the Governor and published in the *Royal Gazette*. All Druggists, Assistant Druggists or Midwives holding Licenses to practice or act as such at the time of the passing of this Ordinance shall renew their Licenses without examination and free of cost.

44. Any person possessing a diploma or certificate entitling him to practise as a Pharmaceutical Chemist or as a Chemist and Druggist or as an Apothecary in any part of the United Kingdom shall be entitled to receive a license under this law on the payment of the sum of two pounds sterling with the additional cost of advertising on applying to the Medical Council and producing his diploma or certificate and satisfying the Council that he is the person mentioned in such diploma or certificate.

45. Persons trained as druggists in other countries and colonies who may have undergone a theoretical and practical course of study under a legally qualified Medical Practitioner or Druggist similar as regards time and sub-

Council may grant Licenses as Druggists, Assistant Druggists and Midwives.

Regulations respecting the course of studies and training and the conduct of examinations with approval of Governor.

Persons possessing a certificate or diploma qualifying him as a Druggist in any part of the United Kingdom may be licensed on paying a fee.

Persons trained as Druggists in other colonies or countries may be admitted to examination.

jects to what has hitherto been usual for Assistant Druggists in this Colony may on the production of evidence to the satisfaction of the Board be admitted to examination for Assistant Druggist or Druggist according as their certificates may appear to the Board to warrant.

No person not being a licensed Druggist to keep open shop for retailing poisons or drugs except such as are exempted or compound medicines for sale.

46. It shall not be lawful for any person to keep open any shop for retailing any poison or drug except such as are enumerated in Schedule C., or for compounding or dispensing medicines for sale unless he be licensed as a Druggist or be in partnership with or have and employ to assist him a person licensed as a Druggist under this Ordinance.

Not lawful for any person not licensed as a Druggist or Assistant Druggist to retail poisons or drugs.

47. It shall not be lawful for any person to sell by retail any poison or drug except such as are enumerated in Schedule C., or to compound or dispense medicines for sale unless he be licensed as a Druggist or Assistant Druggist under this Ordinance.

Midwives to be licensed.

48. It shall not be lawful for any person to practice as a Midwife unless she be licensed under this Ordinance.

Shopkeepers may be granted licenses in the rural districts on recommendation of Wardens.

49. The Medical Council may on the written recommendation of the Warden grant licenses to rural shopkeepers to sell the drugs contained in Schedule D., such drugs having been put in parcels by a Licensed Druggist.

Persons offending against these clauses liable on conviction to pay fine or be imprisoned.

50. Any person offending against sections 46, 47, 48, of this Ordinance shall on summary conviction before any Stipendiary Justice of the Peace forfeit and pay a sum not exceeding ten pounds sterling or in default be imprisoned for any term not exceeding one month.

Exceptions.

51. Nothing in this Ordinance regarding the sale of poisons contained shall be taken to extend or apply to the sale by any person of any drug or poison to a person

licensed under this Ordinance or to the right of any person in this Island to sell the following articles, that is to say :—

- (a.) Patent or proprietary or homœopathic medicines if sold in any box or package containing not less than one dozen and under wrapper or cover as imported into this Island : Provided that such box or package is properly secured and bears the seal, name or trade-mark of the proprietor, inventor or manufacturer thereof and directions for its use : Provided also that the sale of any patent or proprietary medicine may be at any time prohibited by the Governor, by Proclamation, on the representation of the Medical Council that the unrestricted sale of such article is fraught with danger to the public.
- (b.) Mineral or artificial waters or the salts or other materials employed in their preparation.
- (c.) Simple medicinal substances mentioned in Schedule C.

52. Nothing herein mentioned shall be taken to extend or apply to the sale of drugs or medicines in an open shop by any member of the Medical Board who shall be entitled as of right to require and have from the Medical Council a license under this Ordinance for which he shall pay to the Treasurer the sum of two pounds sterling. He shall be bound to conform in all respects to the regulations enacted for the government of Licensed Druggists and for all purposes shall be deemed and treated as a Licensed Druggist so long as he shall hold such license.

Every member of the Medical Board to be entitled to license as Druggist.

53. No person having a license under this law shall leave his shop or store or that part thereof that may be

Person having a license not to leave his shop

open for the sale or dispensing of drugs and poisons without leaving some Druggist or Assistant Druggist in charge.

kept for the sale and dispensing of drugs and poisons open during his absence without leaving some person licensed as a Druggist or Assistant Druggist under this law in charge thereof and actually in attendance therein.

Drugs or medicines, stale or in a state unfit for use or adulterated shall not be exposed or offered for sale.

54. No person having or keeping open shop for the sale of drugs or medicines shall sell or expose or offer for sale any drug or medicine in a stale or unwholesome state or in a state unfit for use, and no person shall sell, expose or offer for sale as unadulterated any adulterated drug or medicines.

License may be suspended and any stale, or adulterated unwholesome drugs or medicines may be destroyed.

55. Any person contravening the 53rd and 54th sections of this Ordinance shall be liable to have his License suspended by the Medical Council, such suspension to be published in the *Royal Gazette* of this Colony and after conviction before a Stipendiary Justice of the Peace, any stale unwholesome or adulterated drugs or medicines may be destroyed by order of the "Visitors," hereinafter mentioned.

Label on bottles, boxes, and packages.

56. Every bottle, box or package of medicine sold shall have a label stating—

- (a) The Druggist's name,
- (b) The Directions,
- (c) By whom prescribed.

Offences by Druggists or Assistant Druggists.

57. When any Druggist or Assistant Druggist registered under this Ordinance is guilty of any felony or misdemeanor or of any offence under this Ordinance, habitual drunkenness or incompetency in the discharge of his duties or shall neglect or refuse to dispense the prescription of any member of the Medical Board on tender of the proper fee to him or shall fail to comply with all such rules and regulations concerning Druggists made under

this Ordinance then and in every such case every such Druggist or Assistant Druggist shall be liable to have his License suspended or revoked by the Medical Council and such suspension or revocation shall be published in the *Royal Gazette*. The Council may cause enquiry to be made into the case of any Druggist or Assistant Druggist alleged to be liable to have his License suspended or revoked under this section and upon proof of any such felony or misdemeanor or of such drunkenness or incompetency or negligence or refusal as aforesaid the License of such Druggist or Assistant Druggist may be either suspended or revoked as to the Council shall seem fit.

58. Any Druggist or Assistant Druggist aggrieved by any determination or act of the Medical Council in pursuance of the last hereinbefore mentioned section may appeal summarily to any Stipendiary Justice of the Peace, and such Stipendiary Justice of the Peace may confirm, revoke or modify the decision of the Medical Council and from his decision an appeal will lie to the Supreme Court. All proceedings upon such appeal shall be in accordance with the provisions of "The Summary Convictions Appeal Ordinance, 1875."

Appeal by
Druggists
against act of
Medical Coun-
cil.

59. Every Druggist who receives a prescription in which the maximum does as laid down in the British Pharmacopœia of any poisonous drug has been exceeded shall immediately refer the prescription to the prescriber to be initialled before proceeding to dispense the same.

Any prescrip-
tion in which
maximum dose
of B. P. ex-
ceeded to be
referred to the
prescriber.

60. Save as hereinbefore provided : no Druggist shall dispense, sell or deliver any poison unless it be—

No Druggist
to dispense,
sell or deliver
poisons except
under certain
restrictions.

- (a) In pursuance of the written order or prescription of a Member of the Medical Board or qualified Veterinary Surgeon, or

- (b) In the presence of a witness who knows the purchaser and who is known to the Druggist and who signs his name and address as witness to the sale in the "Sale of Poison Book," hereinafter mentioned, before delivery.
- (c) And no Druggist shall sell, dispense or deliver to any person any poison unless he distinctly marks and labels the box, bottle, or wrapper or cover in which such poison is contained with the word "poison," and with his name and address written or printed on such label.
- (d) Every person selling or disposing of any poison or keeping any poison for the purpose of sale shall keep a book for the sole purpose of making the entries hereinafter mentioned. Such book shall be called "The Sale of Poison Book," and every such person shall on any sale or delivery of any poison before delivery thereof make or cause to be made an entry of the name, address and calling of the person to whom such delivery is made and the name and quality of the article delivered and the date of such delivery and either the name of the Member of the Medical Board in pursuance of whose order or prescription the same has been delivered as aforesaid or the signature and address of the witness to the sale as aforesaid in accordance with the provisions of the last preceding section.

Persons con-
travening any
or suffering
any assistant
to contravene
the provisions
of the two above

61. Every person who contravenes or negligently suffers or allows any assistant or servant to contravene any of the provisions of the two foregoing sections shall be guilty of an offence against this Ordinance, and shall be

liable to have his License suspended or revoked by order of the Medical Council in manner hereinbefore provided.

sections may have license suspended or revoked.

PART VI.

OFFENCES, MISCELLANEOUS CLAUSES, PROCEDURE, &c.

62. (a) Any person not being a member of the Medical Board who shall twelve months after the passing of this Ordinance practice Medicine or Surgery or perform any surgical operation or give any medical opinion or advice or prescribe any medical or surgical treatment within this Island in respect of which he shall demand or receive any fee or gratuity, or any remuneration, profit or compensation under pretext of services rendered, loss of time, travelling or other expenses or under any other pretext whatsoever.

Persons not being members of the Medical Board who shall practice Physic or Surgery guilty of an offence.

(b) And any person who shall wilfully procure or attempt to procure himself to be registered under this Ordinance by making or producing or causing to be made or produced any false or fraudulent representation or declaration either verbally or in writing, every person so offending and every person aiding and abetting him therein.

(c) And any person who shall wilfully and falsely pretend to be or take or use the name or title of a physician, surgeon, doctor of medicine, licentiate in medicine and surgery, batchelor of medicine or a practitioner in medicine, or takes or assumes any other step, title, addition, designation, or description implying that he is qualified to practice Medicine, Surgery or Midwifery, or that he is recognised by law as a Physician or Surgeon or Licentiate in medicine or surgery or a Practitioner in medicine, shall, upon summary conviction before any Stipendiary Justice of the Peace,

1. For the first offence forfeit and pay Twenty Pounds sterling, and in default of immediate payment be imprisoned with or without hard labour for any term not exceeding three calendar months,
2. For a second or subsequent offence forfeit and pay Fifty Pounds sterling, and in default of immediate payment be imprisoned with or without hard labour for any term not less than three months and not exceeding six months :

Proviso.

Provided that nothing in sub-section (a) of this section contained shall affect or be construed to affect any person holding a Degree, Diploma or License from any University, College or other Body, qualifying him to practice Medicine or Surgery in the Colony or foreign country where such Diploma or License was obtained and who was actually residing and practicing Medicine or Surgery in this Island on the first day of January, in the year of Our Lord 1873.

No Certificate to be valid unless person signing be registered.

63. No Certificate required by any Ordinance now in force or that may hereafter be passed, from any Physician, Surgeon, Licentiate in Medicine or Surgery, or other Medical Practitioner shall be valid unless the person signing the same be registered under this Ordinance.

Recovery of fees by Physicians, &c.

64. No Physician, Surgeon, Dentist, Druggist, Assistant Druggist or Midwife shall be allowed to recover in any Court of Law any fees or charges for services or for drugs or medicine supplied, unless he shall satisfy the Court that he is duly registered under this Ordinance.

Power of Council to employ Counsel, &c., to prosecute.

65. In the prosecution of any person for any offence committed against this Ordinance it shall be lawful for the Council if it shall see fit to employ or instruct any Barrister Advocate or Solicitor to appear and prosecute for any such

offence and to apply any part or parts of the funds of the Board towards the payment and remuneration of any such Barrister Advocate or Solicitor.

66. Where any person registered in the Medical Register shall be convicted either in Her Majesty's dominions or elsewhere of any offence which if committed in England or in this Colony would be a felony, or shall be guilty of any infamous or disgraceful conduct in a professional respect, such person shall be liable to have his name erased from the Registry.

Erasing from registry names of persons convicted of crime, &c.

The Council may cause inquiry to be made into the case of a person alleged to be liable to have his name erased under this section, and on proof of such conviction or of such infamous or disgraceful conduct shall cause the name of such person to be erased from the Register.

67. If the Council think fit it may in any case direct any name or names erased from the Register to be restored thereon on the payment of such fee not exceeding the Registration fee as the Council may from time to time fix, and the Secretary and Treasurer shall restore the same accordingly.

Council may restore name erased.

68. Every person registered under the provisions of this Ordinance shall be exempt from serving on all juries whatsoever.

Persons registered under this Ordinance exempt from service on Juries.

69. It shall be lawful for the Medical Council to appoint from time to time for the Boroughs of Port-of-Spain and San Fernando two or more members of the Medical Board residing in or near those Boroughs and for the rural districts of the Colony one or more members of the Medical Board to be called "Visitors".

Medical Council to appoint visitors.

70. It shall be lawful for such Visitors to enter the shop or store of any Licensed Druggist for the purpose of

Duties and powers of visitors.

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inspecting the state and condition of drugs and medicines at all reasonable and convenient hours of the day.

Members of
Medical Board
holding licen-
ses as Drug-
gists incomp-
tent to act as
examiners or
visitors ; or
elected officer
of the Board.

71. No member of the Medical Board holding a Druggist License shall be competent to act as examiner of any person applying to be admitted to practice as a Druggist or as Assistant Druggist or Midwife or to be present at any such examination or to be a visitor under this Ordinance, or be eligible to be elected President, Vice-President or Secretary and Treasurer of the Medical Council and Board.

Procedure.

72. The form and manner of procedure given by the Ordinance No. 5 of 1868, entitled "An Ordinance respecting the Summary Administration of Justice," shall apply to proceedings under this Ordinance.

Appropriation
of penalties.

73. All sum or sums of money arising from conviction and recovery of penalties imposed by this Ordinance shall be paid to the Receiver-General for the use of Her Majesty the Queen.

Saving clause.

74. This Ordinance shall not increase or diminish the privileges in respect of his practice of any person who at the commencement of this Ordinance is a registered Medical Practitioner, and such person shall be entitled from and after the passing of this Ordinance to practice in pursuance of the qualification possessed by him before the passing hereof in Medicine, Surgery and Midwifery or any of the or any branch of Medicine or Surgery according as he was entitled to practice the same before the passing of this Ordinance, but not further or otherwise.

Rights of ex-
isting Medical
Practitioners.

75. Any person who at the time of the repeal of any Ordinance repealed by this Ordinance was in pursuance of such Ordinance legally entitled to practice as a Medical

No. 6.

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Practitioner, in this Colony, shall after the date of such repeal continue to be so entitled as he would have been entitled if no such repeal had taken place, and he shall be entitled to be registered as a member of the Medical Board.

76. The Ordinances mentioned in Schedule A to this ^{Repeal.} Ordinance are hereby repealed. This repeal shall not effect any right accrued or any offence committed or any liability, penalty or forfeiture incurred before the passing of this Ordinance, or any remedy or proceeding in respect of such right, offence, liability, penalty or forfeiture.

Passed in Council this Eighth day of March, in the year of Our Lord one thousand eight hundred and eighty-seven.

J. CUNNINGHAM,
Acting Clerk of the Council.

SCHEDULE A.

Ordinance 5 of 1846. | Ordinance 1 of 1873.

SCHEDULE B.

Arsenic and its preparations.
 Prussic Acid.
 Cyanides of Potassium and all Metallic Cyanides.
 Strychnine.
 Alkaloids and their Salts.
 Aconite and its preparations.
 Emetic Tartar.
 Corrosive Sublimate.
 Cantharides.
 Savin and its Oils.
 Ergot of Rye and its preparations.
 Essential Oil of Almonds.
 Opium and all preparations of Opium and Poppies (excepting
 Laudanum and Paregoric).
 Antimony and its Salts.
 Hydrate of Chloral and preparations.
 Sub-Acetate of Copper (Verdigris).
 Carbolic Acid.
 Croton Oil.
 Elaterium.
 Cherry-Laurel.
 Conium.
 Digitalis and its preparations.
 Cannabis Indica (Gunjah) and its preparations.

SCHEDULE C.

Carbonate of Soda.	Pimento.	Resin.
Chloride of Sodium.	Aniseed.	Wax.
Alum.	Carraway Seed.	Gum Acacia.
Chalk.	Cardamom.	Starch.
White Marble.	Cloves	Barley.
Soap.	Figs.	Wheaten Flour.
Olive Oil.	Horseradish.	Linseed Meal.
Vinegar.	Almonds.	Linseed Oil.
Sugar.	Tamarind.	Yeast.
Honey.	Nutmeg.	Hops.
Mustard.	Ginger.	Tobacco.
Pepper.		Assafœtida.

And all such other Articles as are used as food or drink or for flavour-
 ing food or drink: all articles of perfumery; Smelling Salts; all
 articles used for painting, tanning, dyeing, soap-making and for other
 industrial arts or manufactures—saving and excepting the Poisons
 mentioned in Schedule B.

SCHEDULE D.

Calomel in $\frac{1}{4}$, $\frac{1}{2}$, 1, 2, 3, 4, 5, 8, 10 grain packets doses affixed.
Castor Oil.
Epsom Salts.
Quinine and its Salts.
Senna.
Cream of Tartar.
Laudanum with doses affixed.
Camphor.
Ipecacuanha and its preparations.
Tincture and Syrup of Squills.
Paregoric with doses affixed.
Sal Volatile.
Compound Tincture of Lavender.
Friars Balsam.
Seidlitz Powder.
Manna.
Rhubarb.
Compound Jalap Powder.
Peruvian Bark.
Magnesia (lump).
Santonine.

